

Local Education Agency
Ad Hoc Workgroup Meeting
February 15, 2006 Meeting Summary

Location: Sacramento City Unified School District

ATTENDEES:

Name	Organization/Title
1. Liz Touhey	CDHS, Medi-Cal Benefits Branch
2. Barbara Schultz	CDHS, Medi-Cal Benefits Branch
3. Heather Dabbert	CDHS, Medi-Cal Benefits Branch
4. John DiCecco	Los Angeles Unified School District (LAUSD)
5. Pam Wagner	LAUSD
6. Laura Baynham	Mendocino County Office of Education (COE) (via phone)
7. Cynthia White-Piper	San Bernardino City USD
8. Margie Bobe	Los Angeles USD
9. Sue Hamblin	Stanislaus COE
10. Judy Holzapfel	Glenn COE
11. Anysia Drumheller	Butte COE
12. Susan Bier	Konocti USD
13. Cathy Bennett	Sacramento City USD
14. Denice Leong	Oakland USD
15. Nancy Hoogedyk	San Francisco USD
16. Robert Powell	California Speech-Language-Hearing Association
17. Judy Dorn	Fresno COE (via phone)
18. Linda Davis-Aldritt	California Department of Education (via phone)
19. Cathy Bray	Los Angeles COE (via phone)
20. Barbara Miller	Fresno USD (via phone)
21. Kevin Harris	Navigant Consulting, Inc.
22. Marna Hammer	Navigant Consulting, Inc.
23. Gloria Eng	Navigant Consulting, Inc.
24. Marlana Evans	Navigant Consulting, Inc.
25. Kirsten Martens	Navigant Consulting, Inc.

Handouts

Each participant received a folder with copies of the following: Agenda, LEA Regulations Change Matrix, Regulations Change Attachment A1: Assessment Services, Regulations Change Attachment A2: Treatment Services, Regulations Change Attachment B: Practitioner Qualifications Cites, and Navigant Consulting's PowerPoint presentation. Copies of the *Federal Funds Information for States Budget Brief 06-03* (February 10, 2006) and supporting Health and Human Services documentation were also distributed.

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Purpose

The meeting was convened by the California Department of Health Services (CDHS) in partnership with LAUSD. The purpose of the Workgroup is to improve the Local Education Agency (LEA) program. The emphasis of the meeting is to strategize various goals and activities aimed at enhancing Medi-Cal services provided on school sites and access by students to these services, while increasing federal reimbursement to LEAs for the cost of providing these services.

Speech-Language Equivalency State Plan Amendment (SPA) 05-010

In order to approve the State Plan Amendment (SPA), Centers for Medicare and Medicaid Services (CMS) is requiring an affirmation of practitioner equivalency from the Office of the Attorney General (AG). CDHS submitted a letter to the AG requesting affirmation of equivalency; however, the AG is requesting additional information and public input before establishing a ruling.

Action:

What: Submit the AG's letter to CMS for consideration of SPA 05-010.

Who: CDHS

When: As soon as possible.

SPA 03-024 Implementation Timeline

The implementation of SPA 03-024 remains on track for July 1, 2006. Statewide trainings for providers are projected for Spring 2006.

Fiscal Year 2007 President's Budget

President Bush's proposed budget for fiscal year 2007 has been released. The proposed budget specifically addresses school-based administration and transportation services. The budget proposes to prohibit one or both of these services to help ensure proper use of federal funds under Individuals with Disabilities Education Improvement Act (IDEA). The proposal may also potentially restrict services that can be claimed as rehabilitative services. In addition, the proposed budget addresses third-party-liability and targeted case management services. It is unclear what the impact and intent of the President's proposed changes may be for California's school-based services.

Regulations Package

CDHS and Navigant Consulting, Inc. have started preparing a regulations package to update State regulations. Changes to LEA-specific regulations will reflect the new program changes as a result of SPA 03-024. A summary of the regulations package process and proposed regulation changes were discussed with the Workgroup. CDHS solicited Workgroup feedback to ensure that proposed changes are clear and reflect

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operational realities within LEAs. The Workgroup suggested some minor changes to the proposed language for clarity and consistency.

Action:

What: Research statutes to determine if Individualized Education Plan (IEP) family members can receive services to help support the LEA beneficiary.

Who: CDHS and Navigant Consulting, Inc.

When: As soon as possible.

Action:

What: Discuss with Legal potentially expanding the definition of an "LEA provider" to include community colleges, California State Universities or Universities of California.

Who: CDHS

When: As soon as possible.

Action:

What: Solicit feedback regarding a service description for "Psychological Assessments" from the California Association of School Psychologists (CASP).

Who: CDHS and Navigant Consulting, Inc.

When: As soon as possible.

Upcoming Trainings

The second Cost and Reimbursement Comparison Schedule (CRCS) training will be held on Tuesday, February 21, 2006 at the Fresno COE. The CRCS PowerPoint slide presentation was revised based on feedback from the participants of the first training in Los Angeles. The third CRCS training will be held on March 16, 2006 in Sacramento. Since this training will be recorded in a production studio, capacity is limited and registration will be limited to select LEAs. The taped CRCS training will eventually be made available for download on the LEA Program Website.

SPA 03-024 implementation trainings are tentatively scheduled for April and May 2006, depending on Electronic Data Systems (EDS) availability. Implementation training will be held at an expected six to eight locations throughout California. The presentation and handout materials are being prepared and finalized. The Workgroup will review the PowerPoint presentation prior to the first training and provide comments and suggestions for improvement. CDHS and Navigant Consulting will also train the EDS trainers on the new billing requirements of the LEA Program.

New Services Update

Medi-Cal fee schedule reimbursement rates may be available for physical therapy, occupational therapy and speech-language therapy assistants; however, the addition of these practitioners as qualified practitioners in the LEA Program would require a SPA.

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Registered dietitians are currently qualified LEA providers, but do not have an associated rate. A rate study and a SPA would be necessary to establish a rate for dietitians. Existing physician codes and rates in the Medi-Cal fee schedule may have prohibitive documentation requirements in a school setting. Under the new rate structure for SPA 03-024, physician rates are based on the nurse reimbursement rate as a proxy. A rate study and SPA may be necessary to establish a specific rate for physicians.

Action:

What: Provide physician Evaluation & Management (E&M) codes and existing Medi-Cal fee schedule rates to Workgroup.

Who: Navigant Consulting, Inc.

When: As soon as possible.

Texas OIG Report Summary

In December 2005, the Office of Inspector General (OIG) released a report on Medicaid school-based services provided in Texas. Of 2,175 sample claims, the OIG found that 991 were deficient, resulting in a recommended refund of \$8.75 million. Deficiencies cited in the Texas claims included non-compliance with prescription and referral requirements, non-compliance with transportation requirements, services were not listed in the child's IEP/Individualized Family Services Plan (IFSP), the child did not have an IEP/IFSP, services were not eligible for reimbursement, and services were provided by unqualified practitioners. Texas did not concur with the findings or the recommendation to refund the federal share.

Future Workgroup Meetings

The next Workgroup meeting for CDHS and providers will be held in Sacramento on April 5th.